

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-227-C - ORDER NO. 2003-640
OCTOBER 23, 2003

IN RE: Application of Hargray Wireless, LLC for) ORDER
Designation as an Eligible)
Telecommunications Carrier.)

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request of the Commission Staff to establish prefiling dates for testimony and exhibits in the above-referenced docket.

On July 23, 2003, Hargray Wireless, LLC filed an application with the Commission seeking designation as an Eligible Telecommunications Carrier (“ETC”) pursuant to Section 214(e)(2) of the Telecommunications Act of 1934, as amended (“Act”), 47 U.S.C. § 214(e)(2), and Section 54.201 of the Federal Communications Commission’s (“FCC”) rules, 47 C.F.R. § 54.201. By its application, Hargray requests that it be designated to receive all available support from the federal Universal Service Fund (“USF”) including, but not limited to, support for rural, insular and high-cost areas and low-income customers. Hargray’s application does not request state support from the South Carolina Universal Service Fund.

On September 30, 2003, the Commission Staff placed the instant docket on the Commission’s agenda for the Commission to consider the establishment of prefiling dates for testimony and exhibits as required by 26 S.C. Regs. 103-869. Presently, the

Commission is awaiting briefs and/or proposed orders in a case involving a request for ETC status by the wireless carrier, ALLTEL Communications, Inc. A hearing has been held in the ALLTEL Communications, Inc.'s case, and a decision will be forthcoming on that case.

In light of the pending case of a wireless carrier seeking ETC status, the Commission continued a hearing set in another case on a similar request for ETC status. By Order No. 2003-591 the Commission continued the hearing in Docket No. 2003-158-C, involving an application for ETC designation by FTC Communications, Inc. DBA FTC Wireless. In reaching its decision to continue the hearing in Docket No. 2003-158-C, the Commission noted "that the type of broad and far-reaching public policy considerations raised by the wireless ETC applications require neutral, independent study and analysis" Order No. 2003-591, p. 2. The Commission then instructed the Commission Staff "to perform, or to have performed, a study addressing and framing the issues, including public policy considerations, raised by applications seeking wireless ETC status." Order No. 2003-591, p. 3. The Commission also ordered that a new hearing date on the FTC Communications, Inc. DBA FTC Wireless ETC application would be established after a decision is rendered on the ALLTEL ETC application. Order No. 2003-591, p. 2, 4.

As the Commission has continued the hearing on the ETC application of FTC Communications, Inc. DBA FTC Wireless, the Commission declines to establish prefilings dates for testimony and exhibits in the instant docket. The Commission will set a hearing date and establish prefilings dates in the instant docket at some time after the

hearing date is set in Docket No. 2003-158-C involving the ETC application of FTC Communications, Inc. DBA FTC Wireless.

IT IS THEREFORE ORDERED:

1. That no prefiling dates for testimony and exhibits will be established at this time.
2. That this matter concerning establishing prefiling dates for testimony and exhibits be brought before the Commission after a hearing date is set in Docket No. 2003-158-C involving the ETC application of FTC Communications, Inc. DBA FTC Wireless.
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Mignon L. Clyburn, Chairman

ATTEST:

Bruce F. Duke, Acting Executive Director

(SEAL)